

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECEIVED
COURT CLERK'S OFFICE
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JIMMY WINSTON

A/K/A

"VERITAS ESTEX"

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

HOWARD ROSENBERG

— AND —

RICHARD JOHNSON

— AND —

DEBORAH SNOWDEN

— OF —

"FREEDOM OF INFORMATION ACT LAW,
APPEALS OFFICE"

— OF — OR — RELATED — TO,

INSPECTOR GENERAL, HUD

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

COMPLAINT

Jury Trial: Yes No
(check one)

16CV2493

I. Parties in this complaint:

A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name JIMMY WINSTON, "VERITAS ESTEX"
Street Address 2765 MATTHEWS A/B APT 6D
County, City BRONX
State & Zip Code NY 10467
Telephone Number (718) 994-1934

B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name HOWARD ROSENBERG
Street Address 451 7TH ST SW ROOM 10139

County, City WASHINGTON
State & Zip Code DC 20410
Telephone Number (202) 402-5507

Defendant No. 2 Name RICHARD JOHNSON
Street Address 451 7th ST SW SUITE 10139
County, City WASHINGTON DC
State & Zip Code DC 20410
Telephone Number _____

Defendant No. 3 Name DEBORAH SNOWDEN
Street Address 451 7th ST SW SUITE 10139
County, City WASHINGTON
State & Zip Code DC 20410
Telephone Number (202) 708-3054

Defendant No. 4 Name HUD INSPECTOR GENERAL - (R.A.O.)*
Street Address 451 7th ST SW SUITE 8260
County, City WASHINGTON
State & Zip Code DC 20410
Telephone Number (202) "RAO" - RECORDS APPEALS OFFICER

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

Federal Questions

Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? US DEF - 0895
FREEDOM OF INFORMATION ACT LAW
APPEALS VIOLATIONS

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? RECORDS THROUGH THE MAIL.

B. What date and approximate time did the events giving rise to your claim(s) occur? FEB 4 2016

What happened to you?
C. Facts: MY APPEAL TO THE OFFICER FOR FOIA RECORDS WAS CLOSED / ABANDONED WITHOUT ANY FURTHER INFORMATION. DEFENDANTS ARE PASSING THE BUCK, GIVING ME THE RUN-AROUND, & PLAYING BEAUCRATIC GAMES WITH ME!

Who did what?
- SEVERAL "BOILER PLATE" REPLIES FROM HUD'S RECORDS OFFICERS STATED, MY FOIA REQUESTS WERE BEING PROCESSED, (BUT THEN I NEVER RECEIVED THEM.)

Was anyone else involved?
- YES, THESE WERE ALL SIGNED BY FOIA SPEC GWENDOLYN BEASLEY.

Who else saw what happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. NO "PHYSICAL" INJURIES.

BLT I SUFFER STRESS FROM ALL THE WAITING AND GAMES THE GOVERNMENT CONTINUES TO PLAY, BY PROMISING TO PROCESS & MAIL ME THE INFORMATION I REQUESTED, THEN FAILING TO DO SO.

V. **Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. AS PER "FOIA" / 0895 RIGHT, AND HUD FOIA CONTROL # "16-IGF-OIG-00038" AND "16-IGF-OIG-00008" AND "16-FI-HQ-00729" I AM ORDERING THE PUBLIC DOCUMENTS I REQUESTED, SINCE I HAVE NOT RECEIVED THEM, BY MAIL, AND THEY ARE ITEMIZED AND HIGHLIGHTED IN THE EXHIBITS, 1-7A BY JURY-TRIAL.

I HAVE EXHAUSTED RECORDS APPEALS TO THE FOIA AND AM NOT FILING A FRIVOLOUS LAWSUIT OR ANYTHING IN WHICH THE U.S. GOVERNMENT HAS SOVEREIGN IMMUNITY TO, NOR A MALICIOUS SUIT. I EXPECT TO BE APPOINTED PRO-BONO COUNSEL BY THE COURT OR THROUGH APPEAL, DBF TO PAY ANY COURT & ATTORNEYS FEE (IF IFP DENIED.)

I declare under penalty of perjury that the foregoing is true and correct.

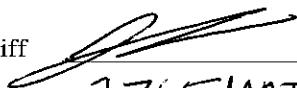
Signed this 20th day of MARCH, 2016.

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)


2765 MATTHEWS AVE
APT 6D
BX NY 10467
(718) 994-1934

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20_____, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: _____

Inmate Number: _____



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

February 4, 2016

Mr. Jimmy Winston
Apartment 6D
2765 Matthews Avenue
Bronx, NY 10467

RE: Freedom of Information Act Request
FOIA Control No: 16-FI-HQ-00729

Dear Mr. Winston:

This letter acknowledges the Department of Housing and Urban Development's receipt of your Freedom of Information Act (FOIA) of January 29, 2016. Your request was received in the Department's FOIA Branch, in Washington, D.C., on January 29, 2016.

Pursuant to the FOIA, 5 U.S.C. 552(a)(6)(A)(i), once HUD properly receives a FOIA request, the Department has 20 working days within which to make a determination on the request unless unusual circumstances exist. Under unusual circumstances, such as an agency's backlog, or the need to examine a voluminous amount of records required by the request, HUD can extend the 20-day time limit for processing a request. Based upon HUD's experience and current inventory, it is estimated that it will take 30 to 45 days to complete processing of this request.

The Department will comply with this request to the extent permissible by law. Any records not subject to an exemption will be forwarded to you promptly upon the completion of HUD's search and review process. The request has been assigned to Mr. Howard Rosenberg for processing. If you have any questions regarding your request, please contact Mr. Rosenberg at (202) 402-5507.

Thank you for your interest in the Department's programs and policies.

Sincerely,

FOIA Branch
Office of the Executive Secretariat



U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

JAN - 8 2015

Veritas Estex
2765 Matthews Avenue
Apartment 6-D
Bronx, NY 10467

Re: Your Freedom of Information Act (FOIA) Request
FOIA Control No.: 16-IGF-OIG-00038

Dear Sir/Madam :

This is in response to your e-mail Freedom of Information Act (FOIA) request dated December 30, 2015, to the U.S. Department of Housing and Urban Development (HUD), Office of Inspector General (OIG). Your request was received in this office on January 4, 2016.

1. You have requested records on the following:

1. *The annual salary paid to HUD employee Lyndrew Nesmith*
2. *The annual salary paid to HUD employee Jo Antoinette Frey (same Office)*

You also indicated in your request, "HUD employee work in Region II, 26 Federal Plaza, 2AEH at 26 Federal Plaza, NY NY 10278"

You have made similar requests on October 15, 2015. The OIG in its response to you dated October 27, informed you, the OIG does not maintain the documents requested, and therefore responds, no responsive records. We have also advised you, the OIG and the Department have separate regulatory FOIA authority, and asked that you contact the Department's FOIA Office for a direct response.

EX-2

2. You further noted in your request, "*I am requesting the documents as well as 2 new FOIA Public Records, the annual salary paid to Christopher J. Ingram.*" The OIG does not maintain the documents requested, and therefore responds, no responsive records.

For future reference, or for inquiries concerning your requests, please contact the Department's FOIA Office:

Deborah Snowden
Chief, FOIA/PA Branch
Office of Administration
U. S. Department of Housing and Urban Development
451 7th Street SW, Room 10139
Washington, DC 20410
Telephone No.: (202) 708-3054
Fax No.: (202) 619-8365
Website: <http://portal.hud.gov/hudportal/HUD>

You may wish to submit your FOIA request for those documents, electronically to the Department's FOIA system at: <https://hudpal.efoia-host.com/palMain.aspx>

3. Your request for information relating to "*the creator/author of Form HUD 52675*".

The OIG responds, we have addressed your request in Items 1 and 2 above.

Please be advised that Richard Johnson, Deputy General to the Inspector General, is the official responsible for this response.

The OIG's Freedom of Information Regulation, 24 C.F.R. § 2002.25, provides for administrative review by the Inspector General of any denial of information if a written appeal is filed within 30 days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Your appeal should be addressed to the FOIA Appeal Specialist, Office of Legal Counsel to the Inspector General, U.S. Housing and Urban Development, 451 7th Street, SW, Suite 8260, Washington, DC 20410, and should be accompanied by a copy of your initial request, a copy of this letter, and your statement of circumstances, reasons and arguments supporting disclosure of the requested information.

Sincerely,

Gwendolyn Beasley
Government Information Specialist (FOIA/PA)

EX 3



U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

OCT 27 2015

Veritas Estex
2765 Matthews Avenue
Apartment 6-D
Bronx, NY 10467

Re: Your Freedom of Information Act (FOIA) Request
FOIA Control No.: 16-IGF-OIG-00008

Dear Sir/Madam :

This is in response to your e-mail Freedom of Information Act (FOIA) request dated October 15, 2015, to the U.S. Department of Housing and Urban Development (HUD), Office of Inspector General (OIG). Your request was received in this office on October 16, 2015.

You asked the following:

1. *What is the annual salary of HUD employee Mr. Lyndrew Nesmith?*
2. *What is the annual salary of HUD employee Jo Antoinette Frey?*

You also indicated in your request, “*Both HUD employees work in 2AEH at 26 Federal Plaza, NY NY 10278*”

You are hereby informed, the OIG does not maintain the documents requested, and therefore responds, no responsive records.

Please be advised that Richard Johnson, Deputy Counsel to the Inspector General, is the official responsible for this response.

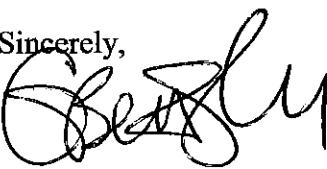
The OIG and the Department have separate regulatory FOIA authority. Since your request seeks records relating to employees within the Department, you might consider sending a request for information addressed to the Department for their review and a direct response to your request.

For future reference, or for inquiries concerning your requests, please contact the Department’s FOIA Office:

Deborah Snowden
Chief, FOIA/PA Branch
Office of Administration
U. S. Department of Housing and Urban Development
451 7th Street SW, Room 10139
Washington, DC 20410
Telephone No.: (202) 708-3054
Fax No.: (202) 619-8365
Website: <http://portal.hud.gov/hudportal/HUD>

You may wish to submit your FOIA request for those documents, electronically to the Department's FOIA system at: <https://hudpal.foia-host.com/palMain.aspx>

The OIG's Freedom of Information Regulation, 24 C.F.R. § 2002.25, provides for administrative review by the Inspector General of any denial of information if a written appeal is filed within 30 days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Your appeal should be addressed to the FOIA Appeal Specialist, Office of Legal Counsel to the Inspector General, U.S. Housing and Urban Development, 451 7th Street, SW, Suite 8260, Washington, DC 20410, and should be accompanied by a copy of your initial request, a copy of this letter, and your statement of circumstances, reasons and arguments supporting disclosure of the requested information.

Sincerely,


Gwendolyn Beasley
Government Information Specialist (FOIA/PA)

EX 5



U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

DEBTS OWED TO PUBLIC HOUSING AGENCIES AND TERMINATIONS

Paperwork Reduction Notice: Public reporting burden for this collection of information is estimated to average 7 minutes per response. This includes the time for respondents to read the document and certify, and any recordkeeping burden. This information will be used in the processing of a tenancy. Response to this request for information is required to receive benefits. The agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The OMB Number is 2577-0266, and expires 08/31/2016.

NOTICE TO APPLICANTS AND PARTICIPANTS OF THE FOLLOWING HUD RENTAL ASSISTANCE PROGRAMS:

- Public Housing (24 CFR 960)
- Section 8 Housing Choice Voucher, including the Disaster Housing Assistance Program (24 CFR 982)
- Section 8 Moderate Rehabilitation (24 CFR 882)
- Project-Based Voucher (24 CFR 983)

The U.S. Department of Housing and Urban Development maintains a national repository of debts owed to Public Housing Agencies (PHAs) or Section 8 landlords and adverse information of former participants who have voluntarily or involuntarily terminated participation in one of the above-listed HUD rental assistance programs. This information is maintained within HUD's Enterprise Income Verification (EIV) system, which is used by Public Housing Agencies (PHAs) and their management agents to verify employment and income information of program participants, as well as, to reduce administrative and rental assistance payment errors. The EIV system is designed to assist PHAs and HUD in ensuring that families are eligible to participate in HUD rental assistance programs and determining the correct amount of rental assistance a family is eligible for. All PHAs are required to use this system in accordance with HUD regulations at 24 CFR 5.233.

HUD requires PHAs, which administers the above-listed rental housing programs, to report certain information at the conclusion of your participation in a HUD rental assistance program. This notice provides you with information on what information the PHA is required to provide HUD, who will have access to this information, how this information is used and your rights. PHAs are required to provide this notice to all applicants and program participants and you are required to acknowledge receipt of this notice by signing page 2. Each adult household member must sign this form.

What information about you and your tenancy does HUD collect from the PHA?

The following information is collected about each member of your household (family composition): full name, date of birth, and Social Security Number.

The following adverse information is collected once your participation in the housing program has ended, whether you voluntarily or involuntarily move out of an assisted unit:

1. Amount of any balance you owe the PHA or Section 8 landlord (up to \$500,000) and explanation for balance owed (i.e. unpaid rent, retroactive rent (due to unreported income and/ or change in family composition) or other charges such as damages, utility charges, etc.); and
2. Whether or not you have entered into a repayment agreement for the amount that you owe the PHA; and
3. Whether or not you have defaulted on a repayment agreement; and
4. Whether or not the PHA has obtained a judgment against you; and
5. Whether or not you have filed for bankruptcy; and
6. The negative reason(s) for your end of participation or any negative status (i.e., abandoned unit, fraud, lease violations, criminal activity, etc.) as of the end of participation date.

Who will have access to the information collected?

This information will be available to HUD employees, PHA employees, and contractors of HUD and PHAs.

How will this information be used?

PHAs will have access to this information during the time of application for rental assistance and reexamination of family income and composition for existing participants. PHAs will be able to access this information to determine a family's suitability for initial or continued rental assistance, and avoid providing limited Federal housing assistance to families who have previously been unable to comply with HUD program requirements. If the reported information is accurate, a PHA may terminate your current rental assistance and deny your future request for HUD rental assistance, subject to PHA policy.

How long is the debt owed and termination information maintained in EIV?

Debt owed and termination information will be maintained in EIV for a period of up to ten (10) years from the end of participation date.

What are my rights?

In accordance with the Federal Privacy Act of 1974, as amended (5 USC 552a) and HUD regulations pertaining to its implementation of the Federal Privacy Act of 1974 (24 CFR Part 16), you have the following rights:

1. To have access to your records maintained by HUD, subject to 24 CFR Part 16.
2. To have an administrative review of HUD's initial denial of your request to have access to your records maintained by HUD.
3. To have incorrect information in your record corrected upon written request.
4. To file an appeal request of an initial adverse determination on correction or amendment of record request within 30 calendar days after the issuance of the written denial.
5. To have your record disclosed to a third party upon receipt of your written and signed request.

What do I do if I dispute the debt or termination information reported about me?

If you disagree with the reported information, you should contact in writing the PHA who has reported this information about you. The PHA's name, address, and telephone numbers are listed on the Debts Owed and Termination Report.

You have a right to request and obtain a copy of this report from the PHA. Inform the PHA why you dispute the information and provide any documentation that supports your dispute. HUD's record retention policies at 24 CFR Part 908 and 24 CFR Part 982 provide that the PHA may destroy your records three years from the date your participation in the program ends. To ensure the availability of your records, disputes of the original debt or termination information must be made within three years from the end of participation date; otherwise the debt and termination information will be presumed correct. Only the PHA who reported the adverse information about you can delete or correct your record.

Your filing of bankruptcy will not result in the removal of debt owed or termination information from HUD's EIV system. However, if you have included this debt in your bankruptcy filing and/or this debt has been discharged by the bankruptcy court, your record will be updated to include the bankruptcy indicator, when you provide the PHA with documentation of your bankruptcy status.

The PHA will notify you in writing of its action regarding your dispute within 30 days of receiving your written dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record. If the PHA determines that the disputed information is correct, the PHA will provide an explanation as to why the information is correct.

This Notice was provided by the below-listed PHA:

I hereby acknowledge that the PHA provided me with the
Debts Owed to PHAs & Termination Notice:

Signature

Date

Printed Name

EX 7

THIS IS A BILL OF ATTAINDBR.

How long is the debt owed and termination information maintained in EIV?

Debt owed and termination information will be maintained in EIV for a period of up to ten (10) years from the end of participation date.

What are my rights?

In accordance with the Federal Privacy Act of 1974, as amended (5 USC 552a) and HUD regulations pertaining to its implementation of the Federal Privacy Act of 1974 (24 CFR Part 16), you have the following rights:

1. To have access to your records maintained by HUD, subject to 24 CFR Part 16.
2. To have an administrative review of HUD's initial denial of your request to have access to your records maintained by HUD.
3. To have incorrect information in your record corrected upon written request.
4. To FILE an appeal request of an initial adverse determination on correction or amendment of record request within 30 calendar days after the issuance of the written denial.
5. To have your record disclosed to a third party upon receipt of your written and signed request.

What do I do if I dispute the debt or termination information reported about me?

If you disagree with the reported information, you should contact in writing the PHA who has reported this information about you. The PHA's name, address, and telephone numbers are listed on the Debts Owed and Termination Report. You have a right to request and obtain a copy of this report from the PHA. Inform the PHA why you dispute the information and provide any documentation that supports your dispute. HUD's record retention policies at 24 CFR Part 908 and 24 CFR Part 982 provide that the PHA may destroy your records three years from the date your participation in the program ends. To ensure the availability of your records, disputes of the original debt or termination information must be made within three years from the end of participation date; otherwise the debt and termination information will be presumed correct. Only the PHA who reported the adverse information about you can delete or correct your record.

Your FILING of bankruptcy will not result in the removal of debt owed or termination information from HUD's EIV system. However, if you have included this debt in your bankruptcy FILING and/or this debt has been discharged by the bankruptcy court, your record will be updated to include the bankruptcy indicator, when you provide the PHA with documentation of your bankruptcy status.

The PHA will notify you in writing of its action regarding your dispute within 30 days of receiving your written dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record. If the PHA determines that the disputed information is correct, the PHA will provide an explanation as to why the information is correct.

This Notice was provided by the below-listed PHA:

New York City Housing Authority
Leased Housing Department
P.O. Box 19196
Long Island City, NY 11101-9196

I hereby acknowledge that the PHA provided me with the *Debts Owed to PHAs & Termination Notice*.

Printed Name	Signature	Date



EX 7-A

DON'T WORRY!
WE DON'T!

FBI big: Distrust the gov't

9

New York Post, Monday, October 13, 2014 nypost.com

FBI Director James Comey says you can't trust anybody — especially the US government.

"I believe that Americans should be deeply skeptical of government power — you cannot trust people in power," the director said in a surprisingly candid interview that aired on CBS's "60 Minutes" on Sunday night.

"The Founders knew that," Comey said, adding, "That's why they divided power among three branches, to set interest against interest."

Still, Comey insisted that his agency isn't watching us illegally.

"We don't do electronic surveillance without a court order," he said.

"We cannot read your e-mails or listen to your calls without going to a federal judge, making a showing of probable cause."

The FBI chief also displayed his open contempt for Apple and Google.

He talked about their development of new cell-phone software designed to make it impossible for the FBI — or anyone else — to crack a code devised by a user.

"The notion that we would market devices that would allow someone to place themselves beyond the law troubles me a lot," Comey said.

He added, "My sense is that we've gone too far when we've gone there."

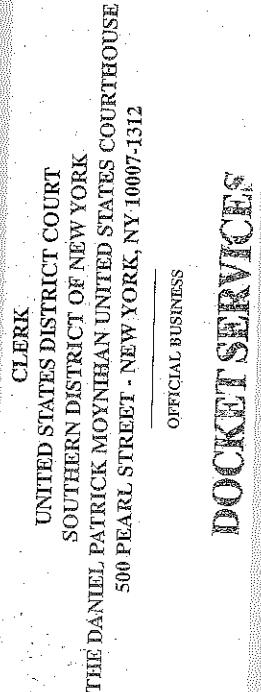
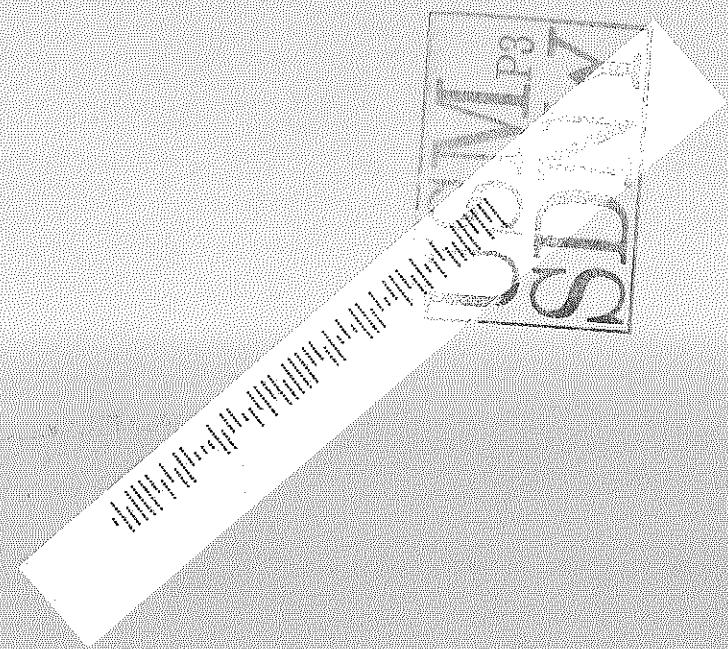
Marisa Schultz



RECORDED MAIL
SOUTHERN DISTRICT COURT
2015-12-11 11:25

IF UNDELIVERABLE
RETURN TO:

Jimmy Winston
2765 Matthews Avenue
Apt. 6D
Bronx, NY 10467



ACTION NUMBER
STATE
-0895

SIGNED ORIGINAL & 1 COPY.

COVET SHEET 12
COMPLAINT 14
EX-17A PRO-BONO REA
CEFP PRO BONO
NOT SERVED DOCKET READ
Clerk's Office